

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE)

TRANSMITTAL FORM (37 C.F.R. § 1.114)

DOCKET NO. 13704/2	APPLICATION SERIAL NO. 09/486,703	EXAMINER Patricia Ann Duffy, Ph.D.	ART UNIT 1645
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INVENTOR: Ian R. Doyle et al.

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Mail Stop RCE
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I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on June 1, 2010.

Signature: Julie A. Forero/

This is a **Request for Continued Examination** under 37 C.F.R. § 1.114 (RCE) for pending application Serial No. 09/486,703, filed on June 27, 2000, entitled **A METHOD OF DIAGNOSIS**.

The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

- ☒ Amendment/Response
☐ Information Disclosure Statement and Form PTO-1449
☐ Drawing Changes
☒ Other Submission: Declaration under 37 C.F.R. §1.132

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE (\$ PER CLAIM	FEE (\$)
BASIC FEE						810.00
TOTAL CLAIMS	22	-	22	0	52.00	0.00
INDEPENDENT CLAIMS	2	-	3	0	220.00	0.00
MULTIPLE DEPENDENT CLAIM					370.00	
				*Number extra must be zero or larger	TOTAL	810.00
If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL		

2. The required RCE and submission filing fee of **\$810.00** is being paid by credit card.
3. Applicants respectfully request a five-month extension of time in which to take action further to the filing of a Notice of Appeal on October 30, 2009, for which a two month response period expiring on December 30, 2009 was set. The five-month extended period for response expires on June 1, 2010 (May 30, 2010 being a Sunday and May 31, 2010 being a Federal Holiday, the Request for Continued Examination is considered timely filed on Tuesday, June 1, 2010 which is the next business day after a Federal Holiday). The 37 C.F.R. § 1.136(a) **five-month extension fee of \$2,350.00 is being paid by credit card.**
4. The Director is hereby authorized to charge payment of any additional fees associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

Respectfully submitted,

Dated: June 1, 2010

/Kevin T. Godlewski/
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